

REMARKS

Claims 11 and 14 to 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent 6,251,494 (“Schreiber”) in view of US 3,426,070 (“Corrigan”). Claims 14 to 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Schreiber modification in re claim 11. Claim 24 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schreiber in further view of Corrigan. Claims 12 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schreiber in view of US 6,499,943 (“Beeck”).

Reconsideration of the application is respectfully requested.

35 U.S.C. §103(a) Rejections

Claims 11 and 14 to 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent 6,251,494 (“Schreiber”) in view of US 3,426,070 (“Corrigan”).

Schreiber has been discussed previously in detail, and as admitted does not teach or disclose the claimed “inner wall forming a run-in lining coating for the blade tips, the inner wall being designed as a whole as a closed, continuous and mechanically stable structure of at least one of a metal woven fabric and a metal felt” of claims 11 and 24.

Corrigan teaches a shroud assembly 40 with a *plurality* of arcuate seal members 44. See col. 3, lines 42 to 53. Each of these individual members 44 has a backing layer 50 and an inner layer 58. See col. 3, line 64 to col. 4, line 1.

Corrigan then describes at col. 4, lines 41 to 43 that the backing and inner layers for *one of the arcuate seal members 44* can be separate and distinct elements, as shown clearly in Fig. 3 of Corrigan. Corrigan then describes that, alternatively, the inner layer 58’ can wrap around *ends of the arcuate member 44* as shown clearly in Fig. 5. Corrigan then states that “[s]imilarly it may be desirable to wrap the entire core layer with a single sheet of sheet metal to provide both the inner rubbing layer and the backing layer.” This similar teaching is clearly for the inner rubbing layer and backing layer of a single arcuate member, as shown in Fig. 5, and would mean that one of the arcuate members 44 is wrapped in a single sheet of material.

Corrigan thus does not disclose “the inner wall being designed as a whole as a closed, continuous and mechanically stable structure” since the ring structure is made up of a large

number of individual arcuate members.

Thus the inner layer of Corrigan, as a whole ring structure as per claim 11 of the present invention, suffers from the drawbacks disclosed in the present application in that expansion joints are present between the arcuate members and the inner surface as described at [0018] of the present specification.

Thus even a combination of Schreiber and Corrigan does not teach the limitations of claims 11 and 24.

Withdrawal of the rejections to claims 11 and 14 to 24 under 35 U.S.C. §103(a) is respectfully requested.

With further respect to claim 14, it is admitted in the Final Office Action that no butt joint is shown. The Final Office Action assertion that it would have been an obvious modification since “it appears the apparatus of the Schreiber modification in re claim 11 would perform equally well with the metal felt claimed by Applicant” has no basis in fact. In fact, the specification at [0021] and [0018] describes the differences: the closed structure, not found in the prior art, presents better sealing, and the metal felt closed structure can permit absorption of thermal stresses even if formed as a closed structure. Neither Corrigan nor Schreiber disclose such a butt joint, and the rejection to claim 14, it is respectfully submitted is based on pure hindsight.

With further respect to claim 16 and 18, it is respectfully submitted that the wrapped individual piece structure of Corrigan could not form overlapping edges as claimed, and that the claimed overlapping modification would not have been obvious. Corrigan actually teaches away from such a structure with desiring its wrapping of arcuate pieces.

With further respect to claim 19, the Final Office Action is simply in error in stating that the specification associated no advantages to the permanent joining, since at [0018] the advantage of “avoiding gaps or joints within the inner wall” minimizes flow losses. Corrigan would not want or desire such permanent joining, since the arcuate pieces fit individually and must thermally expand and contract with respect to each other.


Withdrawal of the rejections to claims 14 to 20 under 35 U.S.C. §103(a) is respectfully requested.

Claims 12 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schreiber in view of US 6,499,943 ("Beeck"). In view of the above with respect to claim 11, withdrawal of the rejections to claims 12 and 13 under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action. No fees are believed due as a result of this amendment. If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,
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